NOVA SCOTIA PUBLIC PROSECUTION SERVICE
Statement of Mandate
2014-2015

TABLE OF CONTENTS

1. Message from the Director of Public Prosecutions. 3

2. Mandate/Mission/Vision. 4

3. Strategic Outcomes. 5

3. Budget Context. 6

4. Performance Measures. 7

Message from the Director of Public Prosecutions

I am pleased to present the 2014-15 Statement of Mandate for the Nova Scotia Public Prosecution Service (PPS).

The PPS continues to spearhead the province-wide e-disclosure initiative to facilitate the Crown's ability to receive uniform electronic disclosure from police. Full implementation of e-disclosure in routine cases is expected province-wide in 2014.

Education and training continues to be an important priority this year for both Crown Attorneys and support staff. A comprehensive educational program is being developed for the annual fall conference for Crown Attorneys. The program will comply with increasing requirements set by the Nova Scotia Barristers' Society for mandatory professional development for lawyers.

The PPS is developing a business case to acquire a case management system and will present that business case in 2014-15. As workloads continue to increase and criminal cases become increasingly complex, comprehensive case management is essential in order to address workload balance issues and to ensure efficient and effective prosecutions.

In response to concern among justice partners over provincial court delays, the PPS continues to work in cooperation with justice system stakeholders in identifying contributing causes and to streamline the processing of cases.

A PPS head office reorganization will be undertaken in 2014-15 with emphasis on improving the delivery of FOIPOP services, communications, national flagging, policy development and succession planning.

The PPS is collaborating with the Department of Labour and Advanced Education to put in place an additional prosecutor dedicated to Occupational Health and Safety offences. Recruitment is expected to be complete in the spring of 2014.

The PPS will also strive to achieve service-wide compliance to its policy on providing advice to police. All Crown Attorneys will be expected to routinely record all advice given to police.

The PPS looks forward to the 2014-2015 year and to moving these important initiatives along.

Martin E. Herschorn, Q.C.
Director of Public Prosecutions

MANDATE / MISSION / VISION

MANDATE

The Nova Scotia Public Prosecution Service is a functionally independent agency of government created by the Public Prosecutions Act. It shares a common Minister and some common services with the Department of Justice (DOJ), but it is not a division nor part of the Department of Justice. In addition to its statutory responsibilities, the Public Prosecution Service and its members contribute, where appropriate and feasible, to the formulation of public policy in the administration of justice.

The Public Prosecution Service, by statute, is responsible for:

- prosecution of all Criminal Code offences;
- prosecution of some other federal statutes;
- prosecution of provincial summary conviction offences;
- appeals before the Supreme Court of Nova Scotia;
- appeals before the Nova Scotia Court of Appeal;
- appeals before the Supreme Court of Canada;
- representation at Criminal Review Board hearings; and
- providing advice to police in respect of prosecutions generally or in respect of particular investigations.

MISSION

To seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

VISION

To be a leading prosecution service in Canada, highly effective and widely respected by the legal community and the general public, staffed by valued, skilled and motivated people, working in a dynamic supportive environment.

STRATEGIC OUTCOMES

The Nova Scotia Public Prosecution Service has identified several strategic outcomes for the year 2014-2015.

- The province-wide e-disclosure initiative will be completed with all investigative material arriving from police in a standardized electronic format;
- The PPS will complete a business case supporting the implementation of a comprehensive electronic case management system;
- A head office reorganization will be undertaken with emphasis on improving the delivery of FOIPOP services; communications; national flagging; policy development; and succession planning;
- The PPS will recruit a prosecutor dedicated to occupational health and safety offences;
- The PPS will strive for service-wide compliance to its policy on providing advice to police;
- Crown Attorneys will continue to be provided with the necessary continuing legal education to enable competent delivery of prosecution services;
- The PPS will continue its collaboration with justice system stakeholders to reduce delays in adult and youth case processing.

BUDGET CONTEXT

PUBLIC PROSECUTION SERVICE			
PROGRAM & SERVICE AREA	2013-14 Estimate ($ thousands)	2013-14 Forecast ($ thousands)	2014-15 Estimate ($thousands)
PROGRAM EXPENSES:			
Head Office - PPS	2,973	2,748	2,837
Special Prosecutions	1,638	1,689	1,657
Appeals	983	1,063	1,033
Halifax Region	6,656	6,948	6,947
Cape Breton Region	3,022	3,158	3,155
Central Region	2,711	2,957	2,726
Western Region	2,717	2,921	2,782
Total Program Expenses	20,700	21,484	21,137
Provincial Funded Staff (FTEs)	168.2	168.1	170.7

Rounding

Estimates/Forecasts:

Departments/PSOs

- All estimates/forecasts should be rounded to the nearest thousand

FTEs:

FTEs for Departments

-Rounding should follow what appears in 1.17 of the Estimates Book

FTEs for Public Service Entities (PSOs)

-In accordance with what appears in the Nova Scotia Estimates Supplementary Detail all FTE information should be rounded to the nearest tenth

PERFORMANCE MEASURES

Department Mandate: Represent the Crown in the conduct of criminal and quasi-criminal appeals before all levels of courts.				
Outcome	**Measure**	**Base Year 2006-07**	**Annual Target 2013-14 100% Ultimate Target**	**Strategic Actions**
High quality trial work	Performance evaluation of Crown Attorneys, to attain competent or higher designation	100 % of Crown Attorneys received a rating of competent or better.	Maintain standard of 100%	- Provide continuing education to full time Crown Attorneys, Per Diem Crown Attorneys and Support Staff - Implement a Case Management Information System

The role of the Crown Attorney is not to win or lose a criminal prosecution. It is to fairly present all relevant evidence to the court, to seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

Achieved through:

-
Performance appraisals, records kept by Crown Attorneys of quality work shared with managers during ongoing performance appraisal processes, justice statistics regarding charges laid, disposition results.

-
Responding to complaints against Crown Attorneys, provide counsel and advice to Crown Attorneys when necessary.

-
Regular meetings with police at regional level to obtain feedback regarding interaction with Crowns.

Performance Measures

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- Responding to complaints against Crown Attorneys, provide counsel and advice to Crown Attorneys when necessary.
- Regular meetings with police at regional level to obtain feedback regarding interaction with Crowns.

Performance Measures

Department Mandate: Participate in the development of criminal law and criminal prosecutions policy.				
Outcome	**Measure**	**Base Year 2004/05**	**Annual Target**	**Strategic Actions**
Providing Crown representation in the development of criminal law and criminal prosecutions policy	Providing representation on all committees as requested	To continue to provide 100% representation, upon request.	Maintain 100% representation	- Contribute to the development of criminal law policies and procedures in conjunction with federal and provincial Departments of Justice. Liaise with law enforcement agencies, government, the judiciary and professional associations on policy and procedural matters

Policy and Procedures developed with government, law enforcement, judiciary, professional associations.

Achieved through:

- PPS involvement in development of criminal law and prosecution policy through liaison with Federal and Provincial governments, judiciary and professional associations.
- Liaison with the defence bar and the judiciary in the development of Provincial Court procedural rules.
- Liaison with Department of Justice for the enhancement of security and safety in criminal courts for Justice staff.
- Participation with the Judiciary in the development of forms for use in criminal proceedings.
- Participation with the Canadian Bar Association in the development of ethical guidelines as it relates to Crown Attorneys.
- Participation in Supreme and Provincial Court Liaison sub-committees of the Nova Scotia Barristers' Society.
- Participation with other prosecution agencies across the country to develop protocols for compliance with SOIRA (Sexual Offender Information Registry Act).

Performance Measures

Department Mandate: Provide advice to police in respect of prosecutions generally or in respect of particular investigations				
Outcome	**Measure**	**Base**	**Annual Target**	**Strategic Actions**
Provide police with high quality legal advice and assistance.	The PPS is providing police with high quality legal advice and assistance when requested during the course of police investigations. This assists police in collecting evidence and laying appropriate charges.	Year	The PPS responds to all requests from police and provincial enforcement officers for legal advice on particular cases or direction on matters of criminal law.	The PPS has instituted a policy requiring Crown Attorneys to record all advice given to police so that such advice is documented and to facilitate workload measurement. A process is underway to quantify that data.

Providing advice to police is an important element of the Crown Attorney's responsibilities.

Achieved through:

- Timely responses to police requests for pre-charge advice.
- Ongoing consultation with police during a lengthy and/or complex police investigation.
- Timely responses to police requests for general advice regarding prosecutions.
- Recording advice to police both to ensure quality of advice and to measure volume of Crown Attorney workload that is pre-charge.